UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

4WD-ERRB

17 JUL 2002

Vickie D. Lawson-Stephens
OPA Coordinator
Marathon Ashland Petroleum LLC
539 South Main Street
Findlay, OH 45840

344 0516 371

Subj: Notice of Technical Deficiencies/Recommendations
Marathon Ashland Petroleum LLC, Catlettsburg Refinery – Catlettsburg, KY
(FRP04KY005)

Ms. Lawson-Stephens:

The U.S. Environmental Protection Agency Region 4 (Region 4) has reviewed the Facility Response Plan (FRP) located at 11631 US Route 23, Catlettsburg, KY. Region 4 agrees with your classification based on the data and criteria upon which you based your determination of the facility. However, Region 4 reserves the right to conduct on-site inspections, unannounced drills on those facilities receiving significant and substantial harm classification. Region 4 also reserves the right to reclassify a facility from substantial harm to significant substantial harm and vice versa should situations warrant.

Region 4 finds your FRP does not fully comply with Section 311 of the Clean Water Act, as amended by the Oil Pollution Act (OPA) of 1990 and the regulations pursuant to 40 CFR part 112. In particular, your plan does not fully address certain elements of Appendix F, required under 40 CFR 112.20(h). The following list identifies the required elements not fully addressed in your FRP.

1.1 Emergency Response Action Plan

- x Qualified Individual's Duties (Section 1.2.5, 1.3.6)
- x Emergency Notification Phone List (Section 1.3.1)
- ___ Spill Response Notification Form (Section 1.3.1)
- ___ Response Equipment List and Location (Section 1.3.2)
- ___ Response Equipment. Testing and Deployment (Section 1.3.3)
- x Facility Response Team (Section 1.3.4)
- ___ Evacuation Plans (Section 1.3.5)
- ___ Immediate Actions (Section 1.7.1)
- x Facility Diagram (Section 1.9)

1.4 Hazard Evaluation

- x Vulnerability Analysis (Section 1.4.2)

1.5 Discharge Scenarios

- ___ Small and Medium Discharges (Section 1.5.1)
- ___ Worst Case Discharge (Section 1.5.2)

U.S. EPA Region 4

Facility Response Plan
Marathon-Ashland
FRP Number: FRP04KY005
Deficiencies/Recommendations

The following are specific comments regarding deficiencies identified in the Facility Response Plan during Region 4's review:

1.0 Emergency Response Action Plan [112.20 (h) (1)], [112 App. F 1.1]:

The FRP must be provided with an independent ERAP section. This should contain the information outlined in Section 1.0 of 40 CFR Part 112, Appendix F.

Qualified Individual Information (Section 1.25 and 1.3.6)

The Facility Information section must include all applicable QI information.

Emergency Notification Phone List (Section 1.3.1)

None

Spill Response Notification Form (Section 1.3.1)

None

Response Equipment List and Location (Section 1.3.2)

None

Response Equipment Testing and Deployment (Section 1.3.3)

None

Facility Response Team (Section 1.3.4)

The Facility Response Team list should include a description of personnel duties in the event of a spill.

3.0 Response Planning Level [112.20 (h) (5)], [112 App. F 1.5.1/1.5.2]:

None

FACILITY RESPONSE ACTION PLAN ADMINISTRATIVE CHECKLIST

FRP No.: Ø4IKYØØ5
Date: 06/07/02

Company/Facility Name: Marathon Ashland Petroleum LLC, Catlettsburg Refining
Reviewer: Brandon Cody

Reviewer Note: Indicate whether or not each item is addressed in the Facility Response Plan. Degrees of adequacy may be described in the 'Comments' area of each section. In addition, note the page and/or section number, when applicable, in which the item may be found.

1.0 EMERGENCY RESPONSE ACTION PLAN						
Reference 112.20 (h) (1)	**Appendix F Section**	**Section and Requirement**	**Yes**	**No**	**Page**	**Comments**
p.F	1.1	ERAP - Readily Identifiable		X		
App.F	1.2.5, 1.3.6	Qualified Individual (Q.I) Information		X		Contact info provided but duties & responsibilities are missing
App.F	1.3.6	Language describing that the Q.I. has authority to contract for cleanup resources	X		Sec 3 Pg. 1	
App.F	1.3.1	Emergency Notification Phone List	X		Sec 13	
App.F	1.3.1	Spill Response Notification Form	X		Sec 16 Pg 17-19	Includes Incident Report Form & O.I Spill Report Form
App.F	1.3.2, 1.3.3	Equipment List (Facility owned equipment only)	X		Sec 25	
App.F	1.3.4	Facility Response Team List (include description of personnel duties in the event of a release)		X		Names included in notification list but specific responsibilities are not addressed
App.F	1.3.5	Facility Evacuation Plan	X			
App.F	1.7.1	Immediate Actions	X			Immediate actions are described for each type of incident
App.F	1.9	Facility Diagram as follows: *Note: If N/A, facility must state N/A in ERAP.				
App.F (1.9)	1.A	Entire facility drawn to scale	X		Section 5	
App.F (1.9)	1.B	Above and below ground bulk oil storage tanks		X		
App.F (1.9)	1.C	Contents and capacities of bulk oil storage tanks	X		Sec 5 12-19	

1.0 EMERGENCY RESPONSE ACTION PLAN						
Reference 112.20 (h) (1)	**Appendix F Section**	**Section and Requirement**	**Yes**	**No**	**Page**	**Comments**
App.F (1.9)	2.A	Storm sewer system, including locations of inlets, manholes, and outlets		X		
App.F (1.9)	2.B	Control structures (weirs, sluice gates, etc.)		X		
App.F (1.9)	2.C	Ditches, wet-weather streams and other surface water features		X		
App.F (1.9)	2.H	Direction of overland spill flow from potential sources	X		Sec 26 p 3	
App.F (1.9)	3.A	Site plan diagram with evacuation routes	X		Sec 20 p 3	
App.F (1.9)	3.B	Location of evacuation regrouping areas	X		Sec 20 p 3	

		Yes	**No**	**Page**	**Comments**
Recommended App.F (1.9)	Diagram showing planning distance, deployment points, areas of vulnerability		X		

Reviewer Note:

Addresses potential effects of spills on the following, as appropriate. This information may be made narrative, or on a diagram with the planning distance as recommended or both.

Comments:

2.0 VULNERABILITY ANALYSIS						
Federal Regulation	**Appendix Section**	**Section and Requirement**	**Yes**	**No**	**Page**	**Comments**
App. F (1.4.2)	Vulnerability analysis:	Lakes and Streams	X		Sec 27 p 2	
App. F (1.4.2)	Vulnerability analysis:	Endangered Flora and Fauna		X		
App. F (1.4.2)	Vulnerability analysis:	Recreational Areas		X		
App. F (1.4.2)	Vulnerability analysis:	Transportation Routes		X		
App. F (1.4.2)	Vulnerability analysis:	Utilities		X		
App. F (1.4.2)	Vulnerability analysis:	Other Areas of Economic Importance		X		

Comments:

SIGNIFICANT AND SUBSTANTIAL HARM DETERMINATION FORM

06/07/02

FACILITY NAME Marathon Ashland Petroleum LLC FRP # 04-KY005

Instructions: Use this form to document your determination of whether a facility could reasonably be expected to cause significant and substantial harm to the environment and where this information was obtained. To evaluate facilities, the screens should be used in a sequential manner.

SCREEN 1: OVER-WATER TRANSFERS

[NO] Proceed to Screen 2

[YES] S/S. Indicate the sources used to arrive at the determination

Sources: _____

SCREEN 2: COMBINATION OF SUBSTANTIAL HARM CRITERIA

Does the facility have an oil storage capacity greater than or equal to one million gallons and meet two or more of the following criteria ?

- ⊘ The facility lacks Secondary Containment for any aboveground storage area.
- ○ A discharge from facility would shut down a public drinking water intake.
- ⊗ A discharge from facility could cause injury to an environmentally sensitive area.
- ○ The facility had a spill exceeding 10,000 gallons in the past 5 years.

[NO] Proceed to Screen 3.

[YES] S/S. Check each box above that applies and indicate the sources used.

Sources: _____

SCREEN 3: EVALUATION OF SIGNIFICANT AND SUBSTANTIAL HARM FACTORS

Could the facility be S/S harm based on evaluation of the following factors

- ○ Lack of secondary containment.
- ○ Proximity to navigable waters.
- ○ Proximity to environmentally sensitive areas.
- ○ Type of transfer operations.
- ○ Total oil storage capacity.
- ○ Proximity to drinking water intakes.
- ○ Proximity to other environmental areas of concern.
- ○ Spill history.
- ○ Tank age.
- ○ Other site specific or region specific characteristics or environmental factors.

[NO] The facility is not S/S

[YES] S/S. Check each box above that applies and complete the following:

Describe how the applicable factors were evaluated:

_____

Indicate the sources used to arrive at this determination:

_____

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET, SW
ATLANTA, GEORGIA 30303-8909

4WD-ERRB

21 JAN 1999

Jerry Welsh
Refinery Superintendent
Marathon Ashland Petroleum LLC
11631 US Route 23
Catlettsburg, KY 41129

231 9965 042

Subj: Updated Integrated Contingency Plan Request
Marathon Ashland Petroleum LLC, Catlettsburg Refinery - Catlettsburg, KY
(FRP04KY005)

Dear Mr. Welsh:

The U.S. Environmental Protection Agency (EPA) has determined your Integrated Contingency Plan (ICP), submitted during your on-site inspection dated December 16,1998, does not contain a cross reference page indicating the specific location of the required elements as outlined and described in Appendix F of 40 CFR Part 112. **EPA requests you submit a cross reference page for your ICP to identify the specific locations for the elements as outlined and described in 40 CFR Part 112, Appendix F, within thirty (30) days of receipt of this letter.**

An inadequate cross reference page prevents the EPA from completing an efficient, adequate review of your plan to determine regulatory compliance with Section 311 of the Clean Water Act, as amended by the Oil Pollution Act of 1990 (OPA). Upon receipt of a cross reference page, the EPA will review your plan to ensure compliance with all OPA requirements. Documentation requesting additional revisions will be provided if the EPA determines through the review that regulatory deficiencies exist in your plan.

Please contact me at (404) 562-8761 should you have any questions regarding this request.

Sincerely,

Robert N. Rosen
On-Scene Coordinator
Emergency Response and Removal Branch

U.S. EPA REGION 4 FRP FIELD CHECKLIST	Yes	No	N/A
Comments:			
WCD Scenario			
(1) What is (describe) your WCD volume?	✓		
(2) What is the most probable spill flow direction?	✓		
(3) What are the hazards posed by the spilled material?	✓		
(4) Any after-hours detection systems, if applicable?	✓		
(5) What are your (QI) initial duties upon discovery or notification of a spill?	✓		
Comments:			
Evacuation Plans			
(1) What/Where are/is your evacuation routes?...validation locations?...command center?	✓		
(2) Is there an alternate shelter as opposed to evacuation?		✓	
(3) Where is the nearest medical facility?	✓		
(4) How would you notify "others" (businesses, recreational areas, transportation dept., etc.) in terms of community notification or evacuation?		✓	
(5) Are the evacuation routes posted?	✓		
(6) What is the arrival route of emergency response personnel? Impeded?	✓		
Comments: No close businesses or residences therefore not necessary to notify "others".			
Facility Response Personnel & Contractor Information			
(1) What level of response training do facility personnel have?	✓		
(2) Are personnel aware of their responsibility during emergency?	✓		

U.S. EPA REGION 4 FRP FIELD CHECKLIST	Yes	No	N/A
Drills and Exercises/Response Training/Inspections			
(1) Do you conduct drills/exercises? With contractor? Yes (X) No ( ) *Logs: QI Notification Drills* *Spill Mgmt Team Tabletop Drills* *Equipment Deployment Drills*	✓		
(2) Who provides personnel response training? *Logs?*	✓		
(3) Frequency of spill prevention meetings? *Logs?*	✓		
(4) Inspection records (tanks, response equipment, secondary containment) for last five years? Also, what sort of checklist is used during each inspection?	✓		
Comments: Inspection Records are maintained both Electronically and via paper.			
Vulnerability Analysis			
(1) Has there been an expansion of facility since last plan revision?	✓		
(2) Are you familiar with the vulnerable areas described in the plan?	✓		
(3) Does the vulnerability analysis address these changes?	✓		
Comments Vulnerability analysis is excellent. Performed by Mondis Environmental.			
Additional Comments:			
- Roughly 82 tanks to be taken out of service By end of next year.			

FRP Review & S/S Determination FRP04KY005

9/22/98

by: Mel Rechtman

re: Marathon Ashland Petroleum LLC, KENTUCKY REFINING DIVISION

1. See #4 of ~~FRP04GA290~~ Review dated 9/15/98.

2. Contains nothing to mitigate ~~Determination of SIG & SUB.~~

Concur w/ START review — send deficiency letter

streamlined application of response strategy to be employed at the facility level.

Emergency Response Action Plan [40 CFR 112.20(h)(1)]

The ERAP should be developed and utilized as the "blueprint" for response action at the facility. As such, it should be read and understood by all parties responsible for implementation (e.g., facility employees and other key response personnel), and form the basis of the facility training and exercise program required by OPA. The ERAP is designed to be used as an emergency response tool, and as such, should only contain the primary information necessary to implement spill response actions.

There are certain response planning elements which are required to be addressed in the ERAP and this information must be provided. However, it is not necessary or advisable to provide additional information other than the minimum required by regulation in the ERAP. **In order to accomplish these objectives, Region 4 recommends that the ERAP be maintained at the facility in a separate binder than the FRP itself.**

For more guidance on the preparation of the ERAP, please refer to Appendix F of 40 CFR 112. The recommended maximum information to be provided in the ERAP is provided below; additional information required for these sections should be included elsewhere in the FRP as documentation for the response strategy outlined in the ERAP:

1. Qualified Individual (QI) Information - Name, address and 24 hour phone number for QI (and alternate QI).

2. Emergency Notification Phone List - Names and 24 hour phone numbers of personnel, agencies and other organizations to be contacted on an emergency basis; **the only federal notification requirement is to contact the National Response Center (1-800-424-8802) Or the EPA Region 4 Spill Hotline (404-562-8700) in the event of a reportable oil spill.**

3. Spill Response Notification Form - This list includes the minimum information to be collected and provided to notification points.

4. Response Equipment List and Location - This list should be prepared to provide facility personnel with the minimum required information needed in an emergency regarding the type, amount, and location of **facility-owned** response equipment. Therefore, do not include information on other equipment resources available in this section of the FRP, unless they are immediately available at the time an oil discharge is discovered.

5. Facility Response Team - Identify facility personnel responsible for implementing the ERAP, time needed to respond (if not on-site at the time of a spill), and a description

granted full authority to implement removal actions, including the ability to commit company resources in the event of an oil spill.

Facility Information [40 CFR 112.20(h)(2)]

Refer to Section 1.2 of Appendix F to 40 CFR Part 112.20 for additional guidance. General comments are contained herein, and shall be addressed as appropriate:

1. Latitude and Longitude - This refers to the latitude and longitude for the main entrance of the facility, in degrees, minutes and seconds. If this information is not available, please give the location of the front entrance in terms of distance (feet) from the nearest street intersection (and identify the named intersection).

2. Wellhead Protection Area - The issue of whether the facility is located in a designated Wellhead Protection (WHP) area should be addressed. It is unacceptable to simply state "NA" or "N/A", without specifying that the information is either "Not Available" or "Not Applicable" (which would require that the plan holder has determined that the facility is not located in a designated WHP area).

3. Qualified Individual (QI) Information - Name, address and 24 hour phone number for QI (and alternate QI) are required. Specify that the QI has been granted full authority to implement removal actions, including information on the level of contracting authority delegated. Describe scenarios where the QI may be replaced depending on the circumstances of a particular incident, if applicable. Additional guidance on this issue should be followed, as appropriate:

EPA interprets the requirements for responding immediately to an oil spill such that the QI should be able to get to the facility within two hours of being notified of a release.

Indicate the level of specific response training experience for the QI (and alternate).

Where applicable, do not refer to the QI (or other company officials) as an "On-Scene Coordinator". This designation refers to the federal official responsible for directing response efforts and coordinating with other federal, state, and local agencies at the scene of an oil discharge or hazardous substance release. It will tend to eliminate confusion if you do not refer to the QI or other company officials in this manner.

4. Date of Oil Storage Start-up - Identify the year which the present facility first started storing oil.

5. Current Operation - Briefly describe the facility's operations and include the Standard

Evidence of contracts (or other approved means) for ensuring availability of personnel and equipment. **Region 4 does not require submission of facilities' entire contracts in the FRP to demonstrate compliance with this requirement.** However, evidence that the contracts (or other agreements) do exist is a requirement, and information that confirms these arrangements must be present in the FRP. **In any case, EPA strongly recommends that the ERAP is not the place to locate copies of contract documents.**

5. Section 1.3.5 requires more extensive information on Evacuation Plans than contained in the ERAP. This section should be the basis upon which the evacuation information provided in the ERAP is developed. Additionally, in this more detailed version of the evacuation plan, the items in Section 1.3.5 of Appendix F to 40 CFR 112.20 must be considered. This section must demonstrate recognition of local community evacuation procedures to ensure coordination with public safety officials.

6. Qualified Individual's Duties - The specific duties of the QI need to be outlined, and include at a minimum the functions discussed in 40 CFR Section 112.20(h)(3)(ix).

Specific comments regarding deficiencies identified in this section which require revisions are as follows:

A description of response actions of facility personnel and a facility response team list must be included in the FRP.

The response plan must identify personnel employed by the facility that would be used in a response capacity. The plan must also provide telephone numbers to contact these personnel, an off duty response time, response duties, and training received.

The FRP must include a site-specific evacuation plan and diagrams, including tie-in to community evacuation plans. Refer to paragraph 5 above for further guidance.

A list and discussion of the QI's duties must be included in the FRP. The duties must include all the items listed in 40 CFR Section 112.20(h)(3)(ix) at a minimum.

Hazard Evaluation [40 CFR 112.20(h)(4)]

This section requires facilities to evaluate hazards associated with the materials in use and the operation of the facility. Refer to Section 1.4 of Appendix F to 40 CFR Part 112.20 for additional guidance; general comments are contained herein:

1. Hazard Identification (Section 1.4.1) - This section requires revision to add additional information including:

Register must be completed. Each item must be addressed. If an item is not in the area that could be affected by a WCD, it should be noted. This item should not be simply skipped.

A section of the FRP must analyze the potential for a spill occurring at the facility.

The FRP must include the facility's spill history.

Response Planning Levels [112.20(h)(5)]

This section requires description of the various planning scenarios for the facility. The purpose of the section is to develop realistic discharge scenarios at the facility, based on their operations. While the failure mode may be somewhat generic among all oil-handling facilities (e.g., pipeline break, tank rupture, overfilling, etc.), the scenarios themselves shall be site-specific. This requires information such as spill quantities, directions of potential spill pathways, and proximity to surface water and water intakes. **EPA will withhold approval of the FRP if it cannot be demonstrated that the facility used information specific to the unique nature of facility operation and consideration of its actual physical location, and the subsequent degree of impact on the environment.** Refer to Section 1.5 of Appendix F to 40 CFR Part 112.20 for additional guidance; general comments are contained herein:

1. The worst case discharge (WCD) volume is required to be calculated according to instructions provided in Appendix D to 40 CFR Part 112. During the plan review process, certain inconsistencies have been noted in this area. Please consult the following examples, and revise, as appropriate:

   The WCD calculations are required to be completed and contained on the Worksheet provided in the above-referenced Appendix; please provide the calculations in the specified (or equivalent) format.

   For complex facilities, owners/operators are required to perform separate calculations to determine worst case discharge planning volumes: one for the transportation related portion of the facility (as prescribed by USCG or DOT representatives) and one for the non-transportation related components. The facility must then compare volumes and choose the larger one as the worst case planning volume. The same principle also applies for determining response planning levels for small and medium discharges. **Please recalculate the WCD for the non-transportation portion of the facility.**

Specific comments regarding deficiencies identified in this section which require revision are as follows:

Plan Implementation [112.20(h)(7)]

This section of the FRP requires a detailed strategy for implementing the responses which correspond to the scenarios provided in the Response Planning Levels section. **Failure to provide sufficient information to demonstrate that the implementation strategy is based on facility-specific discharge scenarios will result in EPA withholding approval of the FRP.** Refer to Section 1.7 of Appendix F to 40 CFR Part 112.20 for additional guidance; general comments are contained herein:

1. Response Resources for Small, Medium, and Worst Case Spills (Section 1.7.1) - Examples of the level of information required to demonstrate that the plan implementation strategy is facility-specific are:

   The FRP should identify the potential direction of spill pathways, and include identification of access points along named surface water bodies and roadways to contain or collect product. The plan should also identify strategic areas to construct underflow dams, excavate collection pits, properly place booms, or implement other appropriate containment and collection strategies which may be effective.

   The multiple response planning level approach warrants consideration of the appropriate level of resources needed for a particular discharge scenario. As such, this should be reflected in the FRP through discussion of the needed personnel and equipment required for the small, medium and worst case discharge scenarios. In particular, it should be specified as to whether facility (or contracted) resources are provided for the various discharge classifications.

2. Disposal Plans (Section 1.7.2) - This plan should contain detailed information regarding proposed means of collection for recovered product as well as the liquid and solid wastes generated by the cleanup process. This requires consideration of hauling distances and availability of sufficient numbers of tankers and other equipment to dispose or otherwise recover spilled material. EPA will consider it unacceptable to merely state that all local, state, and federal regulations that must be met for storage, transportation and disposal of oily wastes will be observed. The purpose of this section is to have determined the approach, and to have planned for the appropriate type and amount of resources needed for implementation of disposal plans.

3. Containment and Drainage Planning (Section 1.7.3) - The purpose of this section is to describe drainage controls available at the facility that could be used to route spilled materials for containment. Consideration should be given as to the availability of such site-specific features as oil-water separators, ditches, ponds, and their utility in limiting impacts of an oil discharge on the environment. Since these devices are preventive in nature, information of this type existing in a facility-specific SPCC Plan may be inserted or copied into this section of the FRP.

Spill Response. Indicate that personnel response training logs and discharge prevention meeting logs will be maintained.

3. Facility Drills/Exercises (Section 1.8.2) - **The FRP must specify the basis upon which the training/exercise program was developed.** Furthermore, the facility is expected to maintain adequate records to demonstrate compliance with this program, and that these records must be available to EPA for inspection, upon request. It is not recommended, or advisable, to place blank training logs in the FRP submitted to EPA; instead, please consider placing them in a separate annex to the FRP which is maintained at the facility.

Specific comments regarding deficiencies identified in this section which require revisions are as follows:

The FRP must include a description of the facility's self-inspection program, including inspection checklists for tanks, secondary containment, and response equipment as described in paragraph 1 above.

This section of the FRP must include a description of the facility's response training program, specific to the individual duties and responsibilities of facility response personnel engaged in oil spill response. Refer to paragraph 2 above for further guidance.

This section of the FRP must include a description of the facility's drill and exercise program, and must specifically state whether the program is based on PREP guidelines. Refer to paragraph 3 above for further guidance.

Diagrams [112.20(h)(9)]

This section of the FRP requires that the diagrams referenced in Section 1.9 of Appendix F be provided; please insert copies of those diagrams which were not provided with the original FRP submittal.

Specific comments regarding deficiencies identified in this section which require revisions are as follows:

The facility Site Plan must include information regarding the contents and capacities of surface impoundments to the site specific facility diagrams. Refer to the above paragraph for further guidance.

The FRP must include detailed site and drainage diagrams of the facility. The diagrams must be legible, and contain all of the aspects of the facility listed in 40 CFR Part

U.S. EPA Region IV

Facility Response Plan
Administrative and Field Checklist

Indicate whether or not the item is addressed in the Facility Response Plan. Degrees of adequacy may be described in the Comments sections. In addition, note the page and section numbers, when applicable, in which the items may be found.

Facility Name: Marathon Ashland Kentucky Refining Divn. FRP #: KY 005

Reviewer: Parvez Bhambra Date: 7/1/98

ICP reviewed again on 11/11/99 with X-ref sheet by PB

ICP format. Does not follow CFR format

ADMINISTRATIVE CHECKLIST

Executive Summary: This ICP does not address FRP issues. Information is very hard to collect from this ICP and the X-ref sheet is too vague. Facility should provide better FRP content in ICP with an accurate X-ref sheet. In case of refinery, the ICP is making things complex, rather than sorting 'em out. Only Sec 16 looks encouraging

	Yes	No	Page	N/A
1.0 EMERGENCY RESPONSE ACTION PLAN [112.20 (h) (1)]				
Separate Section of FRP X	—	✓✓	—	—
Qualified Individual (Q.I.) Information X-X shift supervisor is QI	✓	—	16-5	—
- language describing that Q.I. has authority to contract for cleanup resources	—	—	—	—
Emergency Notification Phone List	✓	✓	1-1	—
Spill Response Notification Form	—	✓	—	—
Equipment List (Facility owned equipment only)	—	—	—	—

X ERAP info is split up in E4, P2, P8, G3, P5.....

Note: Regs require facilities which will perform all (or part of) spill response functions with their own equipment to provide list. U.S. EPA has determined that inventories of equipment are not required where facility has retained services of a CG - classified Oil Spill Response Organization. (OSRO)

Region IV has gone one step further. We will not require that facilities submit lists of contractor-owned equipment to us, as part of their FRP, regardless if the contractor has been classified as an OSRO. We will however, reserve the right to inspect these contracts at facilities, upon request, to verify that arrangements for obtaining response resources have been made.

	Yes	No	Page	N/A
3.0 EMERGENCY RESPONSE INFORMATION [112.20 (h) (3)]			equipment. 16-14	
(i) Identity of private personnel and equipment necessary to removes worst cast discharge (and other discharges of oil)	___	/	Sec 1 & Sec 4	___
			contracting — Appdx 2	
Note: Personnel and equipment lists not required if facility has contracted with OSRO.			firefighting agt — Appdx 3	
(ii) Evidence of contracts or other approved means, as specified under 40 CFR 112.2.	___	___	___	___
(iii) Identity and telephone numbers of individuals/organizations to contacted in the event of a discharge (*minimum information required: either National Response Center or OSC, and Qualified Individual*).	✓	___	Sec 1	___
(iv) Description of spill response notifications procedures, including specific information to be collected by facility and provided as part of notification	✓	___	5-2	___
(v) Description of response personnel capabilities, including duties of facility personnel during a response action	___	✓	Sec 3	___
(vi) Description of facility's response equipment, including location of equipment and testing schedule	✓	___	___	Appdx 3
(vii) Facility evacuation procedures, including tie-in to community evacuation plans and diagram of facility evacuation routes	___	___	___	___
(viii) Description of duties of Q.I., including:				
- facility alert procedures * , **	___	✓	Sec 3	___
- notification of response personnel, including appropriate regulatory authorities, and emergency services personnel	___		___	___
- obtaining preliminary information on nature, amount, and extent of release	___		___	___
- assess hazards to human health and the environment relating to the release	___		___	___
- implement prompt removal actions to contain and and remove discharge	___		___	___
- coordinate response actions	___		___	___
- direct cleanup activities on behalf of spiller	___		___	___

* Sec 3 does not specifically address above duties of QI.

** QI not identified by name, but by position

	Yes	No	Page	N/A
- secondary containment volumes for each individual tank and/or transfer point at facility and total facility containment	___	___	___	___
- numbering scheme for tanks consistent with that used in schematic drawing and SI Forms	___	___	___	___
- normal daily throughput	___	___	___	___

Note: Information in this section may be reproduced from SPCC Plan, but it is unacceptable to merely reference sections of SPCC Plan instead.

Note: Cite whether information is provided on storage of hazardous substances in addition to oil.

Comments:

4.2 Vulnerability Analysis

Note: Addresses potential effects of spills on the following, as appropriate.

Vulnerability of:

Water Intakes (drinking, cooling, or other)	✓	___	6-17	___
Schools	___	___	___	___
Medical Facilities	___	___	___	___
Residential Areas	___	___	___	___
Businesses	___	___	___	___
Environmentally Sensitive Areas	✓	___	6-17	___
Fish and Wildlife	___	___	___	___
Lakes and Streams	✓	___	6-17	___

	Yes	No	Page	N/A
5.0 RESPONSE PLANNING LEVELS [112.20 (h) (5)]				
(i) Worst Case Discharge (WCD)			16-12	
- written description of WCD scenario	___	___	___	___
- Appendix D worksheet provided	___	___	___	___
- "correct" calculations for WCD	___	✓	___	___
(ii) Small Discharge - 2,100 gallons or less				
- written description of small discharge scenario	___	___	___	___
- "correct" calculation of small charge volume				
(iii) Medium Discharge - 2,100 gallons $\leq$ 36,000 gallons or (10% of largest tank capacity, whichever is less)				
- written description of medium discharge scenario	___	___	16-11	___
- "correct" calculation of medium discharge volume	✓	___	___	___

Note: Facility required to discuss potential direction of spill pathways.

Note: Requires examination to determine if WCD is correct for non-transportation related portion of EPA/USG complex facility.

Note: Check for whether appropriate volume is used for "complex" facilities, as per previous note.

Note: Important to remark as to whether this section describes "site specific" scenarios, as opposed to a generic discussion of spill scenarios that may apply to any facility.

Comments:

6.0 DISCHARGE DETECTION SYSTEMS [112.20 (h) (6)]				
6.1 Discharge Detection by Personnel				
Detection Procedures	___	___	16-3	___
Discussion of Facility Inspection Procedures	___	___	16-6	___
Initial Response Actions	___	___	___	___

Note: A detailed description of detection procedures required which should include a description of

	Yes	No	Page	N/A
(ii) description of response equipment needed for:				
- WCD	___	___	___	___
- Medium Discharge	___	___	___	___
- Small Discharge	___	___	___	___

Note: This section should refer to Appendix E as basis for determining response equipment needs, or, otherwise describe why Appendix E was not used. It should also be clear as to who provides equipment (e.g., facility resources or contractor) for various aspects of the response scenario.

Comments:

(iii) Disposal Plans				
- how and where materials will be disposed, recovered, reused, or decontaminated.	___	___	16-31	
- Local, State, and Federal Regulations for transport and disposal addressed.	___	___	___	___

Comments:

(iv) Containment and Drainage Planning				
- plan provided which describes containment available at the facility, including features of drainage system used to route spilled material for containment.	___	___	16-22 16-23	

Note: Copies of containment and drainage plans from SPCC Plan may be inserted here, but it is unacceptable to merely reference that it may be found in SPCC Plan.

Note: Facility must describe whether containment and/or drainage controls exist at the facility, and whether these can be used to contain a spill.

Comments:

	Yes	No	Page	N/A
(iii) Response Training Program Description	___	___	___	___
- copies of training records maintained at facility	___	___	___	___

Note: EPA requires that a program be described specific to the individual duties and responsibilities of facility personnel engaged in oil spill response.

Note: Indicate basis for training program, if provided.

Comments:

9.0 DIAGRAMS [112.20 (h) (9)]

Site Plan Checklist

• entire facility drawn to scale	___	___	___	___
• above and below ground bulk oil storage tanks	___	___	___	___
• contents and capacities of bulk oil storage tanks	___	___	___	___
• contents and capacities of drum oil storage areas	___	___	___	___
• contents and capacities of surface impoundments	___	___	___	___
• process buildings	___	___	___	___
• transfer areas	___	___	___	___
• location and capacity of secondary containment systems	___	___	___	___
• hazardous materials storage areas; including capacity and i.d. of material	___	___	___	___
• location of oil-filled electrical equipment	___	___	___	___
• location of spill response equipment	___	___	___	___
• for complexes, interface between portion of facility regulated by EPA and that of USCG	___	___	___	___

Site Drainage Plan Checklist

• storm sewer system, including locations of inlets, manholes, and outlets	___	___	___	___
• control structures (weirs, sluice gates, etc.)	___	___	___	___
• ditches, wet-weather streams and other surface water features	___	___	___	___
• direction of overland spill flow from potential sources	___	___	___	___

Comments:

December 13, 1994

Thomas E. Gale
Refining Environmental Health & Safety Manager
Ashland Oil, Inc.
2000 Ashland Drive BL-4
Ashland, KY 41114

Re: Conditional Approval of FRP04KY005
Ashland Petroleum Company, Catlettsburg Refinery - Catlettsburg, KY

Dear Mr. Gale:

In this letter, EPA is granting conditional approval of the Facility Response Plan (FRP) for the above-referenced facility, based upon the statutory requirements set forth in the Clean Water Act (CWA) 311(j)(5) as amended by the Oil Pollution Act of 1990. This approval becomes effective on February 18, 1995, upon satisfying the conditions outlined in this letter. The approval will remain effective for up to five years from February 18, 1995. During the next five years, EPA will conduct an on-site review of your facility and its FRP. Such review may result in either termination or extension of the approval status. In either case, our review may require you to modify the FRP, as appropriate.

This approval is conditional in that the facility owner/operator address certain issues identified by EPA in the plan review process and submit a revised FRP to EPA by February 18, 1995. The elements of the FRP requiring revisions are clearly outlined in the comments package provided as an enclosure to this letter. The package highlights the items to be addressed under the heading "specific comments", which appear in italicized type in the comment document. These comments relate specifically to certain elements of the FRP which require revision in order to comply with statutory requirements imposed by the Oil Pollution Act of 1990 (OPA). Facility owners/operators will also be required to complete the certification statement enclosed with this letter as a condition of obtaining plan approval. Failure to provide a signed and dated copy of this statement will void the conditional approval granted by this letter.

By February 18, 1995, the above-referenced facility must also be in compliance with EPA's Final Rule, published in the Federal Register on July 1, 1994, which promulgates regulations for FRPs for non-transportation related facilities. These regulations have been published in the Code of Federal Regulations (CFR) at 40 CFR Part 112. This approval of

FACILITY CERTIFICATION
Pursuant to the Clean Water Act Section 311(j)(5)(F)

Ashland Petroleum Company, Catlettsburg Refinery
FRP Number: FRP04KY005

The undersigned, the owner or operator of the above referenced facility who is authorized to sign this certification on behalf of this facility, hereby certifies that the above referenced facility has prepared a response plan which will be implemented in tne event of a worst case discharge of oil. I also certify that the plan is in effect at the facility, and that facility personnel are trained in the implementation of the plan.

I further certify that the availability of private personnel and equipment necessary to respond, to the maximum extent practicable, to a worst case discharge or a substantial threat of a discharge is ensured by contract or other approved means.

Name:

Title:

Signature:

Date:

Emergency Response Action Plan [40 CFR 112.20(h)(1)]

The ERAP should be developed and utilized as the "blueprint" for response action at the facility. As such, it should be read and understood by all parties responsible for implementation (e.g., facility employees and other key response personnel), and form the basis of the facility training and exercise program required by OPA. The ERAP is designed to be used as an emergency response tool, and as such, should only contain the primary information necessary to implement spill response actions.

There are certain response planning elements which are required to be addressed in the ERAP and this information must be provided. However, it is not necessary or advisable to provide additional information other than the minimum required by regulation in the ERAP. **In order to accomplish these objectives, Region IV recommends that the ERAP be maintained at the facility in a separate binder than the FRP itself.**

For more guidance on the preparation of the ERAP, please refer to Appendix F of 40 CFR 112. The recommended maximum information to be provided in the ERAP is provided below; additional information required for these sections should be included elsewhere in the FRP as documentation for the response strategy outlined in the ERAP:

1. Qualified Individual (QI) Information - Name, address and 24 hour phone number for QI (and alternate QI).

2. Emergency Notification Phone List - Names and 24 hour phone numbers of personnel, agencies and other organizations to be contacted on an emergency basis; **the only federal notification requirement is to contact the National Response Center (1-800-424-8802) OR the EPA Region IV Spill Hotline (404-347-4062) in the event of a reportable oil spill.**

3. Spill Response Notification Form - This list includes the minimum information to be collected and provided to notification points.

4. Response Equipment List and Location - This list should be prepared to provide facility personnel with the minimum required information needed in an emergency regarding the type, amount, and location of **facility-owned** response equipment. Therefore, do not include information on other equipment resources available in this section of the FRP, unless they are immediately available at the time an oil discharge is discovered.

5. With respect to emergency response contractors, include only that information needed by the facility personnel to implement the ERAP at the time an oil spill is discovered.

Indicate the level of specific response training experience for the QI (and alternate).

Where applicable, do not refer to the QI (or other company officials) as an "On-Scene Coordinator". This designation refers to the federal official responsible for directing response efforts and coordinating with other federal, state, and local agencies at the scene of an oil discharge or hazardous substance release. It will tend to eliminate confusion if you do not refer to the QI or other company officials in this manner.

Replace all existing references to "Emergency Response Coordinator" in the FRP with "QI".

4. Date of Oil Storage Start-up - Identify the year which the present facility first started storing oil.

5. Current Operation - Briefly describe the facility's operations and include the Standard Industry Classification (SIC) code, if available.

6. Dates and Type of Substantial Expansion - Include information on expansions that have occurred at the facility. If no expansions have been made to the facility, it should be so stated.

Specific comments regarding deficiencies identified in this section which require revisions are as follows:

A. The QI information section, located on page 3 of Section 300 of the FRP, must include a statement of the QI's ability to commit resources. Refer to paragraph 3 above for additional guidance.

Emergency Response Information [40 CFR 112.20(h)(3)]

Refer to Section 1.3 of Appendix F to 40 CFR Part 112.20 for additional guidance; general comments are contained herein:

1. Section 1.3.1 requires an Emergency Notification Phone List and a Spill Response Notification Form to be provided as part of the FRP.

2. Section 1.3.2 requires a Facility Response Equipment List to be provided. This information pertains to facility owned (or leased) equipment, available on-site or nearby, if resources are shared, (e.g., if equipment is procured from a response co-operative). **Also, it should be specifically identified as to whether "pre-authorization" of dispersants or other chemical countermeasures has been**

C. A list and discussion of the QI's duties must be included in the FRP. The duties must include all the items listed in 40 CFR Section 112.20(h)(3)(ix).

Hazard Evaluation [40 CFR 112.20(h)(4)]

This section requires facilities to evaluate hazards associated with the materials in use and the operation of the facility. Refer to Section 1.4 of Appendix F to 40 CFR Part 112.20 for additional guidance; general comments are contained herein:

1. Hazard Identification (Section 1.4.1) - This section requires revision to add additional information including:

Tank and Surface Impoundment (SI) Forms (or equivalent) for each tank (or SI) at the facility in accordance with the instructions given in Appendix F. **In particular, provide information regarding tanks (or SI) storing oil or hazardous materials, specifying the material stored within.**

Schematic drawing of tank locations, using a numbering scheme for the tanks consistent with those identifiers provided in the SI Form.

Written descriptions of activities at the facility representing a potential for the discharge of oil into surface water, including consideration of loading/unloading operations, day-to-day operations, secondary containment volumes, and normal daily throughput.

2. Vulnerability Analysis (Section 1.4.2) - This section requires revision to add additional information including:

Identification of vulnerable areas within the planning distance calculated according to guidance provided in Appendix C to 40 CFR Part 112. Detail the consideration given to estimating potential effects of a spill for each of the 13 areas listed in the guidance for this section. If a certain vulnerable area is not applicable to your situation, please indicate "not applicable" to demonstrate an attempt to identify whether these particular vulnerable zones are located within the worst case planning distance for the facility.

3. Analysis of Potential for an Oil Spill (Section 1.4.3) - This section requires revision to provide more detail regarding analyses of probabilities of oil spills occurring at the facility based on factors such as spill history, tank age, adequacy of secondary containment, leak detection devices, etc. **This analysis should include consideration of the likelihood of a natural disaster occurring, consistent with the type of natural disaster likely to take place, based on location and history of the surrounding area.**

equipment required for the small, medium and worst case discharge scenarios. In particular, it should be specified as to whether facility (or contracted) resources are provided for the various discharge classifications.

2. Disposal Plans (Section 1.7.2) - This plan should contain detailed information regarding proposed means of collection for recovered product as well as the liquid and solid wastes generated by the cleanup process. This requires consideration of hauling distances and availability of sufficient numbers of tankers and other equipment to dispose or otherwise recover spilled material. EPA will consider it unacceptable to merely state that all local, state, and federal regulations that must be met for storage, transportation and disposal of oily wastes will be observed. The purpose of this section is to have determined the approach, and to have planned for the appropriate type and amount of resources needed for implementation of disposal plans.

3. Containment and Drainage Planning (Section 1.7.3) - The purpose of this section is to describe drainage controls available at the facility that could be used to route spilled materials for containment. Consideration should be given as to the availability of such site-specific features as oil-water separators, ditches, ponds, and their utility in limiting impacts of an oil discharge on the environment. Since these devices are preventive in nature, information of this type existing in a facility-specific SPCC Plan may be inserted or copied into this section of the FRP.

Specific comments regarding deficiencies identified in this section which require revisions are as follows:

A. Detailed response actions for a worst case discharge are required in this section. The actions outlined in Section 500 of the FRP do not contain sufficient detail to demonstrate that the response was thoroughly thought out. Refer to paragraph 1 above for more guidance.

Self-Inspection, Drills/Exercises, and Response Training [112.20(h)(8)]

The purpose of this section is to describe the training and exercise programs to be followed at the facility level, which are designed to prepare facility personnel to respond to oil discharges. In the Final Rule, EPA has referenced guidance developed by the U.S. Coast Guard for training and exercises which are the minimum requirements in these areas; consideration should be given to other training requirements, particularly those of the Occupational Health and Safety Administration (OSHA), as they relate to worker health and safety. Refer to Section 1.8 of Appendix F to 40 CFR Part 112.20 for additional guidance; general comments are contained herein:

1. Facility Self-Inspection (Section 1.8.1) - This section should reflect development on a site-specific basis, such that the inspected items are consistent with those actually found at the facility, and that a schedule is provided for ensuring equipment is

Response Plan Cover Sheet [112.20(h)(11)]

The Final Rule requires that the Response Plan Cover Sheet (RPCS) be completed and submitted with the FRP, as described in Section 2.0 of Appendix F to 40 CFR Part 112. In 1993, EPA requested copies of a RPCS from substantial harm facilities. Please review your copy of this previously submitted RPCS cover sheet, and determine if any changes need to be made, prior to re-submitting this document as an attachment to the FRP.